

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

VICKY JONES,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO.: 03: 05-cv-0420-F
)	
UNITED STATES OF AMERICA,)	
)	
Defendant.)	

**DEFENDANT'S MOTION TO STAY ALL PROCEEDINGS PENDING THE
COURT'S REVIEW OF ITS SUBJECT MATTER JURISDICTION**

Comes now the Defendant, the United States of America, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama, and requests that all proceedings in this matter be stayed pending the Court's resolution of whether it has subject matter jurisdiction, and as grounds states as follows:

The defendant has filed a Notice of Suggestion that the Court lacks subject matter jurisdiction over the instant cause. In the interest of judicial economy and the prudent use of valuable government resources it is respectfully requested that all proceedings and deadlines in this matter be stayed until such time as the Court has determined whether it has subject matter jurisdiction over the instant matter.

The undersigned was unable to reach counsel for the plaintiff to determine his position on this request.

Respectfully submitted this 15th day of September, 2005.

LEURA G. CANARY
United States Attorney

By: s/R. Randolph Neeley
R. RANDOLPH NEELEY
Assistant United States Attorney
Bar Number: 9083-E56R
Attorney for Defendant
Post Office Box 197
Montgomery, AL 36101-0197
Telephone No.: (334) 223-7280
Facsimile No.: (334) 223-7418

CERTIFICATE OF SERVICE

I hereby certify that on the 15th day of September, 2005, I electronically filed the foregoing with the Clerk of the Court using the CM/EDF system which will send notification of such filing to plaintiff's attorney, Richard F. Horsley, Esq.

s/R. Randolph Neeley
Assistant United States Attorney